

## **REMARKS/ARGUMENTS**

### **1. Summary of the Office Action**

Claims 1 – 35 are pending. Claims 1 - 6, 8 – 12, 14 – 19, 21 – 25, 27 – 30, 32, and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,136,501 to Silverman et al. (hereinafter “Silverman”). Claims 7, 13, 20, 26, 31, 33 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Silverman, in further view of U.S. Patent No. 6,351,761 to Cantone et al. (hereinafter, Cantone).

### **2. Response to 35 U.S.C. § 103 Rejections**

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

#### **Silverman does not disclose each and every limitation of independent claims 1, 8, 14, 21, 27 and 32.**

Applicant’s claim 1 includes the following limitations:

receiving, from a client computer, a point-to-point request message;  
converting the point-to-point request message to a subject-based message;

(Claim 1, emphasis added). Applicant’s invention as claimed relates to a method and system for anonymous, subject-based addressing in network communications. For example, Applicant’s invention relates to a system that is capable of routing messages from one device to another device based on labeling, or addressing, the message with a subject. Accordingly, claim 1 refers to receiving a point-to-point message, and converting the point-to-point request message to a subject-based message.

Silverman relates to a distributed anonymous matching system for use in trading various trading instruments. (Col. 6, Line 24). Accordingly, the system described in Silverman provides for anonymously matching active bids and offers. (Abstract). For example, according to Silverman, bids and offers are matched, and transactions processed, with the parties to the transaction remaining unknown to each other. (Col. 1, Lines 43 – 47). According to Silverman, messages are communicated between a central system and several client devices, or keystations. However, Silverman does not describe the manner in which messages are addressed when communicated from one device to another. In particular, Silverman does not disclose, relate to, or suggest anonymous, subject-based addressing. In direct contrast to claim 1, Silverman does not disclose receiving a point-to-point message, and converting the point-to-point request message to a subject-based message.

In the Office Action mailed July 22, 2004, the Examiner has suggested that Silverman discloses converting a point-to-point request message to a subject-based message at lines 53 – 55 of column 8, and at lines 19 – 42 of column 15, which state:

Thus, if this new bid 32a is at the highest price or better or higher, then it will result in a bid update broadcast message 34a going out throughout the system.

...

The central system 20 then preferably processes the transaction message 120 against the central system 20 stored copy of the system or host book which is contained in the host book data base 118 subject to gross counterparty credit limits. At this point, the central system 20 preferably either adds the entry of the transaction or the order from keystation 24a to the host book data base 118 or matches that entry against existing bids and offers contained in the host book data base 118. Once that processing is completed, assuming the gross counterparty credit limit has not been exceeded, the central system 20 is ready to generate output messages not only to the originating keystation 24a, but possibly to other keystations 24 such as the counterparty keystations represented by 24b and, assuming the gross counterparty credit limit between keystations 24a and 24b has not been exceeded and that an update message is required, to all keystations in the system. Thus, central system 20 generates directed messages back to each of the keystations 24 involved in the matching transaction, such as 24a as the originating keystation and, assuming that there is a match, 24b as the counterparty keystation, and generates the IXM update broadcast message to all keystations 24.

(Silverman, Col. 1, Lines 53 – 55; Col. 15, Lines 19 – 42).

The cited passages from Silverman refer to a central system receiving a transaction message, processing the transaction message, and responding to one or more keystations with an output message. The transaction messages and output messages may be related to a particular subject. For example, the transaction message or output message may be related to a bid, or an offer. However, Silverman does not relate to or suggest subject-based addressing of messages, and the cited passages, in particular, do not disclose receiving a point-to-point message, and converting the point-to-point request message to a subject-based message, as is claimed in claim 1. Consequently, Applicant submits that Silverman does not disclose each and every limitation of claim 1, and therefore Silverman does not anticipate claim 1. For the same reason, Silverman does not anticipate independent claims 8, 14, 21, 27 and 32, and dependent claims 2 – 7, 9 – 13, 15 – 20, 22 – 26, 28 – 31, and 33 – 34, which depend directly or indirectly upon claims 1, 8, 14, 21, 27 and 32.

In light of the above, Applicant respectfully submits that the rejection under 35 U.S.C. § 103 has been overcome, and withdrawal of this rejection is therefore respectfully requested.

### 3. Conclusion

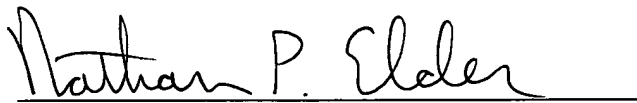
Having tendered the above remarks, Applicant respectfully submits that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Nathan Elder at (408) 947-8200 ext. 207.

Respectfully submitted,

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